

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Kentucky Fire Commission
(As Amended at ARRS, November 9, 2021)

739 KAR 2:060. Certification and qualifications of fire and emergency services [~~protection~~] instructors.

RELATES TO: KRS 75.400(2), ~~(4), (5)~~, 95.010(1)(c), 95A.040~~(1)(c)~~, (3)(b)~~[4]~~, 95A.210(1), ~~(6)~~

STATUTORY AUTHORITY: KRS ~~95A.040(3)(b)~~, 95A.050(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 95A.040(3)(b) authorizes the Kentucky Fire Commission [~~on Fire Protection Personnel Standards and Education~~] to certify fire and emergency services~~[protection]~~ instructors. **KRS 95A.050(3) requires the commission to promulgate reasonable administrative regulations relating to fire protection personnel.** This administrative regulation ~~establishes~~~~[sets forth the]~~ criteria for instructor certification, including the training and educational requirements of applicants for certification.

Section 1. Definitions. (1) [~~“Bridge course” means an educational program provided by the commission to update out-of-state fire protection instructors seeking Kentucky instructor certification through reciprocity on paperwork and legal requirements specific to fire protection instructors certified in the Commonwealth of Kentucky.~~

(2) “Certified” [~~“Professional firefighter” means a firefighter who meets the requirement of KRS 95A.210~~][~~and 95A.230~~].

~~(2)~~ [(3) “Certified” [~~“Volunteer firefighter” means an individual who meets the requirements of 739 KAR 2:100.~~]] [has received at least 150 hours of certified training as recognized by the Commission on Fire Protection Personnel Standards and Education and who receives at least twenty (20) hours of certified training annually to maintain certification.]]

~~(3)~~ [(4) “Commission” means the Kentucky Fire Commission [~~Commission on Fire Protection Personnel Standards and Education~~] as defined by KRS 95A.210(1).

~~(2)~~ [(4)] [(5)] “Fire and Emergency Services [~~protection~~] instructor” means an individual trained and certified pursuant to KRS 95A.040~~(1)(c)~~~~[(2)(b)]~~, this administrative regulation, and the National Fire Protection [~~International Fire Service Training~~] Association, as a person qualified to instruct fire protection personnel or supervise the training of fire protection personnel. This term is synonymous with the term “fire and emergency services instructor” as referenced in [~~the International Fire Service Training Association curricula and~~] the National Fire Protection Association 1041 standard.

~~(3)~~ [(5)] [(6)] “Fire department” means a fire department, fire protection district, or fire taxing district recognized by the commission as defined in [by] KRS 75.400(2), (4) and (5) and 95.010(1)(c).

~~(4)~~ [(6)] [(7)] “Firefighter I” means an individual who has demonstrated the knowledge and skills to function as an integral member of a firefighting team under direct supervision in hazardous conditions and is certified by the commission as accredited by [~~through~~] the International Fire Service Accreditation Congress within the Commonwealth of Kentucky.

~~(5)~~ [(7)] [(8)] “Firefighter II” means an individual who has demonstrated the skills and depth of knowledge to function under general supervision and is certified by the commission as ac-

credited by ~~[through]~~ the International Fire Service Accreditation Congress within the Commonwealth of Kentucky.

~~(6)~~~~(8)~~ [(9)] “IFSAC” means the International Fire Service Accreditation Congress.

~~(7)~~~~(9)~~ [(10)] “KCTCS” means the Kentucky Community and Technical College System.

~~(8)~~~~(10)~~ [(11)] “MOI” means an educational methodology course meeting the job performance requirements within ~~[the objectives of]~~ NFPA 1041 and conducted by:

(a) The Kentucky Fire Commission~~[/] State Fire Rescue Training;~~

(b) KCTCS;

(c) ~~[(b)]~~ A regionally accredited ~~[Kentucky]~~ college or university; or

(e) The National Fire Academy;

~~(d) A governmental entity authorized by the National Fire Academy to train within its jurisdiction and approved by the commission; or]~~

~~(d)~~ ~~[(e)]~~ An agency approved by the commission to train within its jurisdiction.

(9) “Professional firefighter” is defined by KRS 95A.210(6).

~~(10)~~~~(11)~~ [(12)] “Reciprocity” means the recognition of an accredited ~~[IFSAC]~~ certification from another state, territory, province, or nation following verification that the certification is current, valid, and without restriction.

(11) “Volunteer Firefighter” means an individual who meets the requirements of 739 KAR 2:100.

~~(12)~~~~(13)~~ **[(“Train the Trainer course” means a pedagogy program intended to educate certified fire and emergency services] [protection] [instructors on the specialized curricula, training aides,] [primary highlights] [and uses of courses taught to fire protection personnel.]**

Section 2. Levels of Certification and Scope. (1) The commission shall certify fire and emergency services ~~[protection]~~ instructors at the following levels:

(a) Fire and Emergency Services Instructor Level I;

(b) Fire and Emergency Services Instructor Level II; ~~[and]~~

(c) Live Fire Instructor; and ~~[Instructor Level III.]~~

(d) Live Fire Instructor-In-Charge.

(2) A ~~[(a)]~~ fire and emergency services instructor shall only teach a fire service related curricula ~~[protection subject]~~ upon meeting all requirements for certification mandated by this administrative regulation. An [certified fire protection] instructor shall ~~[may]~~ only teach curricula ~~[subjects]~~ within the scope of the instructor’s respective fire and emergency services ~~[protection]~~ instructor level, subject to the conditions **established**~~[set forth]~~ in this section ~~[of this administrative regulation].~~

(3) An instructor certified as a Level I fire and emergency services ~~[protection]~~ instructor **may**~~[shall be authorized to]~~ conduct firefighter training at any fire department or agency located in the Commonwealth pursuant to paragraphs (a) and (b) of this subsection.

(a) Training shall only be conducted at the request of a fire department or agency.

(b) Upon invitation, a person certified as a Level I fire and emergency services ~~[protection]~~ instructor shall conduct training using curricula approved by the commission.

(4) A person certified as a Level II fire and emergency services ~~[protection]~~ instructor **may**~~[shall be authorized to]~~ conduct firefighter training at any fire department or agency located in the Commonwealth pursuant to paragraphs (a) through ~~(c)~~~~(d)~~ ~~[(e)]~~ of this subsection.

(a) Training shall only be conducted at the request of a fire department or agency.

(b) Upon invitation, a person certified as a Level II fire and emergency services instructor may conduct training using curricula approved by the commission or curricula developed by a Level II fire and emergency services instructor.

~~1. At a fire department of which the Level II fire protection instructor is not a member, the Level II fire protection instructor may personally conduct training using lesson plans that he or she has developed; or]~~

~~(c) [2.] At a fire department of which the Level II fire and emergency services [protection]-instructor is a member, the Level II fire and emergency services [protection] instructor may allow a Level I fire and emergency services [protection] instructor to conduct training under the Level II fire and emergency services [protection] instructor's direction, using lesson plans developed by the Level II fire and emergency services [protection] instructor.~~

(5) *The commission shall not certify new Level III fire and emergency services instructors after January 1, 2022. An instructor certified as a Level III fire and emergency services instructor on or before January 1, 2022, shall be eligible for certification renewal pursuant to Section 5 of this administrative regulation and shall retain his or her Level III fire and emergency services instructor certification until:*

(a) *The certification expires pursuant to Section 5 of this administrative regulation;*

(b) *The certification is revoked pursuant to Section 6 of this administrative regulation;*

or

(c) *The instructor is no longer an active member of a Kentucky fire department.*

(6) A Level III fire and emergency services [protection] instructor shall meet the intent of NFPA 1041 and have the ability to develop fire service related curricula. [be authorized to:

~~(a) Develop comprehensive training curricula and programs for use by single or multiple organizations;~~

~~(b) Conduct organization needs analysis;~~

~~(c) Design record keeping and scheduling systems;~~

~~(d) Develop training goals and implementation strategies; and~~

~~(e) Conduct firefighter training and Level I and II fire protection instructor training at any fire department or agency located in the Commonwealth. Training shall only be conducted at the request of a fire department or agency.~~

~~(6) An instructor shall successfully complete the commission's Train the Trainer course and shall thereafter teach only from lesson plans developed by the commission or State Fire Rescue Training, or curricula approved by the commission prior to instruction.]~~

Section 3. Instructor Certification Requirements. (1) An instructor shall not ~~[be authorized to]~~ teach without first meeting all requirements for certification established in this administrative regulation.

(2) An applicant for initial certification as a Level I fire [protection] and emergency services instructor shall complete and submit:

(a) A ~~[completed]~~ Kentucky Fire and Emergency Services Instructor Level I webform [Level I Fire Service Instructor Application signed by the applicant's fire chief or designee];

(b) Verification of active member status of a Kentucky fire department, degree program at an institution of higher education within the Commonwealth, or a recognized federal fire department within the Commonwealth;

(c) Verification of at least one (1) year of [two (2) years' continuous] experience as a certified professional or volunteer firefighter in the Commonwealth of Kentucky, or in another state,

preceding the application date for Level I fire and emergency services [protection] instructor certification;

(d) ~~[(e)]~~ Verification [Copies] of IFSAC accredited Kentucky, or IFSAC accredited Kentucky reciprocity, Firefighter I and II certificates on which the applicant's seal numbers shall be denoted and provides proof of completion of both written and skill performance tests; ~~[and]~~ [;]

(e) A copy of the applicant's high school diploma or transcript, general equivalency diploma (GED), college degree, or transcript from a regionally accredited institution of higher learning; and

(f) 1. ~~[First]~~ Verification of MOI, ~~[of]~~ IFSAC accredited Kentucky, or IFSAC accredited Kentucky reciprocity, Fire Instructor I certification on which the applicant's seal numbers shall be denoted and provides proof of completion of both written and skill performance tests;

2.~~[(f) Second]~~ Verification of MOI, ~~[of]~~ a Bachelor's degree in education issued by a regionally accredited institution of higher education; or

3.~~[(g) Third]~~ Verification of MOI, **individual who**~~[of]~~ holds a position as an instructor or instructional faculty member of a regionally accredited institution of higher education in the subject of fire service or a related field~~[-; or]~~

~~(h) A copy of the applicant's high school diploma or transcript, general equivalency diploma (GED), college degree, or transcript from a regionally accredited institution of higher learning].~~

~~1. Certification seal numbers shall be denoted in the designated portion of the instructor Level I application; and~~

~~2. IFSAC accredited Kentucky, or IFSAC accredited Kentucky reciprocity, certification shall provide documentation of successful completion of both written and skills performance tests; or~~

~~(d) A copy of the applicant's high school diploma or general equivalency diploma (GED), and one (1) of the following MOI:~~

~~1. First MOI: Certification as an IFSAC accredited Kentucky, or IFSAC accredited Kentucky Reciprocity, Instructor I;~~

~~2. Second MOI: A Bachelor's degree in education issued by an accredited institution of higher education; or~~

~~3. Third MOI: Holds a position as an instructor or instructional faculty member of an institution of higher education in the subject of fire service, or a related field.]~~

~~(3) An applicant for initial certification as a Level II fire [protection] and emergency services instructor shall complete and submit:~~

~~(a) A ~~[completed]~~ Kentucky Fire and Emergency Services Instructor Level II webform [Level II Fire Service Instructor Application signed by the applicant's fire chief or designee, with the applicant's IFSAC accredited Kentucky, or IFSAC accredited Kentucky Reciprocity certification seal number or numbers denoted as indicated];~~

~~(b) Verification of active member status of a Kentucky fire department, degree program at a regionally accredited institution of higher education, or a recognized federal fire department within the Commonwealth; and~~

~~(c) Verification of IFSAC accredited Kentucky or IFSAC accredited reciprocity certification as a Level I Fire and Emergency Services Instructor for **at least** one (1) year.~~

~~(4) **[Fire and Emergency Services Instructor Level III will no longer be necessary for issuance within the Commonwealth. A previously approved, recognized, and currently active Fire and Emergency Services Level III instructor shall retain Level III status for as long as he or she is recognized as active status.**~~

~~(5)~~ An applicant for certification as a Live Fire Instructor shall complete and submit:

(a) A Kentucky Live Fire Instructor webform;

(b) Verification of active member status of a Kentucky fire department, degree program at an institution of higher education within the Commonwealth, or a recognized federal fire department within the Commonwealth;

(c) Verification of IFSAC accredited Kentucky or IFSAC accredited reciprocity certification as a Fire and Emergency Services Level I instructor for **at least** two (2) years; and

(d) Proof of successful completion of the commission approved NFPA 1403 class and written examination.

~~(5)(6)~~ An applicant for certification as a Live Fire Instructor-In-Charge shall complete and submit:

(a) A Kentucky Live Fire Instructor-In-Charge webform;

(b) Verification of active member status of a Kentucky fire department, degree program at an institution of higher education within the Commonwealth, or recognized federal fire department within the Commonwealth;

(c) Verification of IFSAC accredited Kentucky or IFSAC accredited reciprocity certification as a Fire and Emergency Services Level I instructor for **at least** two (2) years~~(1)~~; and

(d) Proof of successful completion of the commission approved NFPA 1403 class and written examination.

~~(b) Verification of four (4) years' continuous experience as a certified professional or volunteer firefighter in the Commonwealth of Kentucky, or in another state, preceding the application date for Level I fire protection instructor certification;~~

~~(c) Proof of two (2) years' experience as a Level I fire protection instructor; and~~

~~(d) Verification of completion of all Level I fire protection instructor renewal requirements as set forth in this administrative regulation.~~

~~(4) An individual desiring initial certification as a Level III fire protection instructor shall submit:~~

~~(a) A Level III Fire Service Instructor Application completed on the applicant's behalf by the fire department for which the applicant has served as an active member for at least six (6) consecutive years and signed by the applicant's fire chief or designee, with the applicant's IFSAC accredited Kentucky, or IFSAC accredited Kentucky Reciprocity certification seal number(s) denoted as indicated;~~

~~(b) Service as a fire protection Level II instructor for a minimum of two (2) years prior to the application date for fire protection Level III instructor certification;~~

~~(c) Positive recommendations following interviews with the commission, the Fire Commission Division Director of Operations, and the State Fire Rescue Training Division Director, or the director's designee;~~

~~(d) Verification of completion of all Level II fire protection instructor renewal requirements as set forth in this administrative regulation; and~~

~~(e) Evidence of previous assistance with the delivery of at least two (2) MOI approved by the commission.]~~

Section 4. Reciprocity. (1) Individuals seeking certification as a Level I or Level II [,-II-, or-III-] fire and emergency services [protection] instructor through reciprocity from any state, territory, or country [or territory in the United States] shall be granted approval by the commission if the

applicant meets all certification requirements for Level I or Level II fire and emergency services [~~II, or III~~] instructor certification pursuant to Section 3 of this administrative regulation.

(2) The applicant shall complete and provide proof of completion of **at least** eight (8) hours of **[methodology]** continuing education **in methodology** taught by Kentucky State Fire Rescue Training. [~~if:~~

(1) The ~~two (2), four (4), or six (6) year continuous work periods mandated by Section 3(2)(b), (3)(b), and (4)(a) of this administrative regulation shall have been completed while certified by and in good standing with the certifying agency of the state in which the firefighter served for the period of time necessary to qualify for reciprocity in the Commonwealth of Kentucky;~~

(2) The applicant's continuous work periods mandated by Section ~~2(2)(b), (3)(b), and (4)(a)~~ of this administrative regulation shall immediately precede the date on which the applicant applies for Level I, II, or III fire protection instructor certification in the Commonwealth of Kentucky; ~~or~~

(3) The individual shall complete the commission's bridge course prior to certification as a fire protection instructor by the commission.]

Section 5. Instructor Certification Terms and Renewal. (1) Unless renewed, certification for Levels I, II, and III fire and emergency services [~~protection~~] instructors shall expire after four (4) years from the date of certification and approval, and every four (4) years thereafter. [~~a period of two (2) years in a cyclical pattern based upon the last number of the instructor's Kentucky fire instructor number. All instructors with a Kentucky fire instructor number ending in zero (0) or an even number shall recertify by January 1, 2017, and all instructors with a Kentucky fire protection instructor number ending in an odd number shall recertify by January 1 of the subsequent year.~~]

(2) The commission shall grant certification renewal for Level I, ~~[and]~~ II, **and III** fire and emergency services instructors who submit:

(a) Documentation of **at least** twenty (20) hours of training per year during the renewal cycle; and [~~instructional time using curricula developed or approved by the commission and completed prior to the expiration of the instructor's current certification period;~~]

(b) Verification of attendance of at least eight (8) hours of methodology training during the renewal cycle. [~~twenty (20) student training hours, at least four (4) hours of which shall consist of an MOI approved by the commission; and~~

(c) A Fire Service Renewal Application provided by the commission and signed by both the applicant and the applicant's fire chief or designee.

(3) The ~~forty (40) instructional and student training hours mandated by subsection (2)(a) and (b) of this section may also be used to complete the instructor's firefighter recertification hours.~~

(4) The commission shall grant certification renewal for Level III instructors who submit:

(a) A Fire Service Renewal Application provided by the commission and signed by both the applicant and the applicant's fire chief or designee;

(b) Documentation that the applicant has instructed a minimum of one (1) MOI or instructional technique class during the two (2) year certification period; and

(c) Verification of completion of a minimum of one (1) instructor training workshop lasting at least eight (8) hours and approved by the commission.

(5) A fire protection instructor who obtained instructor certification prior to the effective date of this administrative regulation shall be required to meet the renewal requirements as set forth

~~in this administrative regulation subsequent to the completion of one (1) full recertification period.]~~

Section 6. Suspension or Revocation of Certification and Appeal. (1) The commission's ~~[Education and]~~ Eligibility~~[/State-Aid]~~ Committee shall revoke or suspend an instructor's certification if, after reasonable notice and a hearing, it is determined that the instructor committed misconduct with regard to fire and emergency services ~~[protection]~~ instructor certification or job duties. Misconduct shall include **conduct such as the following[, but not be limited to]:** ~~[- Examples include, for example:]~~

(a) A material misstatement or misrepresentation in any document furnished to the commission to obtain the issuance or renewal of certification;

(b) Falsification of training records; or

(c) An act of negligence or malfeasance.

(2) An ~~[fire protection]~~ instructor whose certification is subject to suspension or revocation shall be entitled to thirty (30) days' notice and a hearing before the commission's ~~[Education and]~~ Eligibility~~[/State-Aid]~~ Committee.

(3) If the commission's ~~[Education and]~~ Eligibility~~[/State-Aid]~~ Committee hearing results in a decision to revoke or suspend an instructor's certification, the instructor shall be notified in writing of the action and the right to appeal before the commission no later than ten (10) days following the hearing.

(4) An instructor shall request an appeal in writing within fifteen (15) days of receipt of the notification of the commission's intent to revoke or suspend the instructor's certification.

(5) If the individual appeals the commission's intent to revoke or suspend his or her instructor certification, a hearing shall be conducted at the next regular meeting of the commission, or within thirty (30) days of the appeal request, whichever is first.

(6) If the commission's hearing results in a decision to revoke or suspend an instructor's certification, the instructor shall be notified in writing of the action and the right to appeal pursuant to KRS Chapter 13B no later than ten (10) days following the hearing of the appeal.

(7) The certification of an instructor who fails to maintain active status with a commission recognized Kentucky fire department, degree program, federal fire department, or Kentucky State Fire Rescue Training shall be automatically suspended until active status with a commission recognized Kentucky fire department, degree program, federal fire department, or Kentucky State Fire Rescue Training is reinstated and all requirements for recertification are met.

Section 7. Reinstatement of Certification. (1) The commission shall reinstate the certification of an instructor whose certification has lapsed for a period not exceeding one (1) year, unless the applicant has been subjected to discipline that would prevent reinstatement, upon submission of:

(a) A completed Kentucky Fire and Emergency Services Instructor Reinstatement webform;

(b) Proof of completion of **at least** eight (8) hours of methodology training provided by State Fire Rescue Training; and

(c) Verification of attendance of **at least** twenty (20) hours of recognized fire service training following the date of reactivation by a commission recognized Kentucky fire department of which the applicant is a member.~~[application]~~

~~(2) The commission shall reinstate the certification of an instructor whose certification has lapsed for a period of more than one (1) year but not exceeding three (3) years, provided the~~

~~instructor meets all recertification requirements and has attend a commission recognized bridge course.]~~

~~(2) [(3)]~~ The commission shall not reinstate the certification of an instructor whose certification has lapsed for a period exceeding one (1) ~~[three (3)]~~ year[s].

Section 8. Incorporation by Reference. (1) The following material is incorporated by reference:[

~~(a) "Fire and Emergency Services Instructor, Eighth Edition" 2012;]~~

~~(a) [(b)] "Kentucky Fire and Emergency Services Instructor Level I webform", 2021 [1-Certification Application" 2014];~~

~~(b) [(c)] "Kentucky Fire and Emergency Services Instructor Level II webform", 2021 [2-Certification Application" 2014];~~

~~(c) [(d)] "Kentucky Live Fire Instructor webform", 2021;~~

~~(d) "Kentucky Live Fire Instructor-In-Charge webform", 2021; and ["Kentucky Fire Service Instructor Level 3 Certification Application" 2014; and]~~

~~(e) [(e)] "Kentucky Fire and Emergency Services Instructor Reinstatement webform", 2021 [Certification Renewal Application" 2014].~~

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Fire Commission office, 110 Cleveland Drive, Paris, Kentucky 40361 ~~[Commission on Fire Protection Personnel Standards and Education, 1049 U.S. 127 South, Suite #5, Frankfort, Kentucky 40604]~~, Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material may also be obtained at: <http://kyfires.acadisonline.com/>.

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